

## I. AMENDMENTS

### In the claims:

6. (amended) The method according to claim 5, wherein said cancer antigen is selected from the group consisting of:

c-erbB-2, [145kD, 275 kD, 40 kD, 60 kD, 100 kD, 42 kD, 55 kD, 66 kD, 75 kD,] glycolipid, HMW mucin, HMW mucin II, [and] p-glycoprotein and an antigen recognized by any of the following hybridomas: 42H8, 35E2, ATTC Accession Nos HB 10802, HB 8490, HB 8485, HB 8691, HB 11052, HB 10812, HB 8486, HB 10789, HB 8488, HB 8662, HB 8697, HB 10785, HB 10796, HB 10793, HB 11752, HB 10795, HB 10801, HB 11751 and HB 10794.

## II. REMARKS

Claims 1-15 are presently pending. Prior to the filing of this CPA, claims 4 and 9-14 were withdrawn from consideration and claims 1-3, 5-8 were rejected under 35 U.S.C. §§ 102(a) and 103(a). Claim 6 was also rejected under 35 U.S.C. § 112, second paragraph.

### **35 U.S.C. § 112, Second Paragraph**

Claim 6 has been amended herein as suggested by the Examiner to identify suitable cancer antigens by hybridomas which recognize these antigens rather than by the molecular weight of the antigen. This amendment is made solely to advance prosecution and it is not intended as an admission that the claim, as filed, was unpatentable.

### **35 U.S.C. §§ 102/103**

Claims 1-3, 5-8 and 15 stand rejected under § 102(a) as allegedly anticipated by Weiner et al. (1994) *Proc. Am. Assoc. Cancer Res.* 35:219 (Abstract #1309) or by Weiner et al. (1994) *Proc. Assoc. Clin. Oncology* 13:800 (Abstract #978).

Applicant traverses the rejections based on these Abstracts

The pending claims are not anticipated by the cited Abstracts because neither Abstract discloses each and every claimed element. The claims are directed to methods of inducing an immune response in a subject by administering a bispecific antibody "in an amount sufficient to induce production of antibodies" to the second antigen. The cited Abstracts are silent as to production of antibodies. Instead, these references disclose that administration of bispecific antibodies "enhances peripheral blood NK and LAK precursors"; "promotes c-erbB-2 tumor lysis by human NK cells and macarophages expressing CD16" and results in detectable levels of "HAMA." (see, Weiner Abstract #978, line 19; Weiner Abstract #1308, lines 3-4, and Weiner Abstract #978, line 16). These observations are unrelated to methods of producing antibodies to the second antigen. NK, LAK and macrophages are not antibody producing cells. HAMA refers to a human humoral immune response to murine immunoglobulins and, therefore, does not suggest the production of antibodies to the second antigen. Indeed, HAMA is often an undesirable effect that can reduce the circulating half-life of the antibody and produce allergic reactions.

The Abstracts are similarly deficient when applied under 35 U.S.C. § 103(a). There is no suggestion or motivation within either Abstract that would lead one of skill in the art to the claimed methods.

In sum, there is simply no teaching or suggestion in the references of methods of inducing the production of antibodies to the second antigen of a bispecific antibody. Accordingly, these references do not anticipate or render obvious the pending claims. Therefore, Applicant submits that these rejections are improper and should be withdrawn.

### III. CONCLUSION

In view of the foregoing remarks and attached declaration, Applicant submits that the claims are now in condition for allowance and requests early notification to that effect. Please direct all further communications regarding this application to:

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Respectfully submitted,

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